

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, CR 07-70574 WDB  
Plaintiff, [PROPOSED] ORDER GRANTING  
v. FOURTH STIPULATION TO WAIVE  
TIME UNDER SPEEDY TRIAL ACT AND  
MICHAEL MARTIN, et al., FOR PRELIMINARY HEARING  
Defendant.

Pursuant to Fed. R. Crim. P. 5.1(d) and 18 U.S.C. §  
3161(h)(8), the parties in this matter have filed a Fourth  
Stipulation to Waive Time Under the Speedy Trial Act and for  
Preliminary Hearing, seeking to waive and extend the time for  
the preliminary hearing and to exclude the time between January  
29, 2008, through February 26, 2008, from the Speedy Trial  
Clock. The stipulation was signed by counsel of record as well  
as the defendants such that the defendants are knowingly and  
voluntarily waiving their rights to a preliminary hearing on  
January 29, 2008, and extending the preliminary hearing until  
February 26, 2008.

Good cause appearing therefor,

**IT IS HEREBY ORDERED** that the period between January 29,  
2008, and February 26, 2008, is excluded from the Speedy Trial  
Clock to allow counsel to effectively prepare, taking into

1 account the exercise of due diligence. 18 U.S.C. §  
2 3161(h)(8)(B)(iv). The Court finds that the "ends of justice  
3 served by the granting of such continuance outweigh[s] the best  
4 interests of the public and the defendant in a speedy trial."  
5 18 U.S.C. § 3161(h)(8)(A). Additionally, the Court finds that  
6 the defendants knowingly and voluntarily waived the period  
7 between January 29, 2008, and February 26, 2008, such that  
8 preliminary hearing is now scheduled for February 26, 2008, at  
9 10:00 a.m.

10 Dated:

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13 WAYNE D. BRAZIL, Judge  
United States District Court  
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28 **LAW OFFICES**

506 BROADWAY  
SAN FRANCISCO  
(415) 986-5591  
Fax: (415) 421-1331